

PCT

NOTIFICATION DE TRANSMISSION DE COPIES
DE LA TRADUCTION DU RAPPORT D'EXAMEN
PRELIMINAIRE INTERNATIONAL
SUR LA BREVETABILITE (CHAPITRE I OU CHAPITRE II
DU TRAITE DE COOPERATION EN MATIERE DE BREVETS)

(règles 44bis.3.c) et 72.2 du PCT)

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Référence du dossier du déposant ou du mandataire
R8706WO

Demande internationale n°
PCT/FR2004/002653

NOTIFICATION IMPORTANTE

Date du dépôt international (jour/mois/année)
15 octobre 2004 (15.10.2004)

Déposant

OTV SA etc

1. Transmission de la traduction au déposant.



Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre I).



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3. Rappel concernant la traduction dans la ou l'une des langues officielles de l'office ou des offices élus.

Il est rappelé au déposant que, lorsqu'une traduction de la demande internationale doit être remise à un office élu, cette traduction doit comporter la traduction de toute annexe du rapport préliminaire international sur la brevetabilité (chapitre II).

Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé dans le délai applicable (règle 74.1). Voir le volume II du Guide du déposant du PCT pour de plus amples renseignements.

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Fonctionnaire autorisé

Athina Nickitas-Etienne

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RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ (chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

Référence du dossier du déposant ou du mandataire R8706WO	POUR SUITE À DONNER		Voir le point 4 ci-dessous
Demande internationale no. PCT/FR2004/002653	Date du dépôt international (<i>jour/mois/année</i>) 15 October 2004 (15.10.2004)	Date de priorité (<i>jour/mois/année</i>) 30 October 2003 (30.10.2003)	
Classification internationale des brevets (8 ^e édition, sauf indication d'une #dition ant#rieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237			
Déposant OTV SA			

1. Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).

2. Ce RAPPORT comprend un total de 6 feuilles, y compris la présente feuille de couverture.

Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).

3. Le présent rapport contient des indications relatives aux points suivants :

- | | |
|--|---|
| <input checked="" type="checkbox"/> Cadre n° I | Base de l'opinion |
| <input type="checkbox"/> Cadre n° II | Priorité |
| <input type="checkbox"/> Cadre n° III | Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle |
| <input type="checkbox"/> Cadre n° IV | Absence d'unité de l'invention |
| <input checked="" type="checkbox"/> Cadre n° V | Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration |
| <input type="checkbox"/> Cadre n° VI | Certains documents cités |
| <input type="checkbox"/> Cadre n° VII | Certains irrégularités relevées dans la demande internationale |
| <input type="checkbox"/> Cadre n° VIII | Certains observations relatives à la demande internationale |

4. Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).

Date d'établissement du présent rapport
27 July 2006 (27.07.2006)

Fonctionnaire autorisé

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Formulaire PCT/IB/373 (janvier 2004)

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference R8706WO		Date of mailing (day/month/year) See Form PCT/ISA/210 (sheet 2)
International application No. PCT/FR2004/002653		International filing date (day/month/year) 15.10.2004
International Patent Classification (IPC) or both national classification and IPC C02F1/44 C02F1/78, B01D61/18, B01D65/02		Priority date (day/month/year) 30.10.2003
Applicant OTV SA		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/002653

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
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International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 3, 5, 6, 9, 10, 13, 17, 18, 20, 21

YES

Claims 1, 2, 4, 7, 8, 11, 12, 14-16, 19, 22-26

NO

Inventive step (IS)

Claims None

YES

Claims 1-26

NO

Industrial applicability (IA)

Claims 1-26

YES

Claims None

NO

2. Citations and explanations:

1 Reference is made to the following documents:

D1: US5607593

D2: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 10,
17 November 2000 & JP 2000 197895 A (HITACHI
ZOSEN CORP), 18 July 2000

2 The present application fails to comply with the requirements of PCT Article 33(1) since the subject matter of claims 1, 2, 4, 7, 8, 11, 12, 14-16, 19, 22-26 does not meet the requirement of novelty defined in PCT Article 33(2).

2.1 Document D1 describes an installation for purifying an aqueous effluent laden with organic matter (figure 1), the installation comprising at least one reactor (1) having an inflow of said effluent (4), an outflow of said effluent (27), a vent (12), means (6) for injecting an oxidizing gas and a submerged-membrane filtration device (31). The microfiltration membranes are of the mineral or organic type (column 4, lines 48-55), operating with an intake pressure of 0.2 to 0.8 bar (column 9, lines 41-46). The oxidizing-gas injection means and the filtration

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

device are integrated into the same treatment chamber of the reactor (figure 1, column 8, line 45 - column 9, line 27). An adsorbent material, preferably activated charcoal, may be dosed in the treatment chamber, thus creating a fluidized bed (column 6, line 66 - column 7, line 5). In document D1, ozone is the preferred gaseous oxidizer, but the addition of H_2O_2 is also provided (column 6, lines 64-65). Loops for recirculation of the permeate and the ozone are also provided in D1 (column 6, lines 1-21).

Finally, it should be noted that the definition of a device in terms of the use of said device is not allowable (PCT Article 6). The existence of a cocurrent flow between the oxidizing gas and the effluent in the present claim 1 therefore cannot serve for differentiating the device of the present application from the device of the prior art of document D1. Furthermore, D1 also shows a cocurrent flow between the oxidizing gas and the effluent (figure 7, column 11, lines 32-47).

2.2 Document D2 also discloses the subject matter of claims 1, 2, 4, 7, 14 and 19 (see the abstract).

The subject matter of claims 1, 2, 4, 7, 8, 11, 12, 14-16, 19, 22-26 is therefore not novel.

3 Claims 3, 5, 6, 9, 10, 13, 17, 18, 20 and 21 contain slight changes to the method and the corresponding device. These changes however do not seem to contribute to solving the problem stated in the present application

WRITTEN OPINION OF THE
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International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

(page 3, lines 6-9) and are therefore not considered to
be inventive (PCT Article 33(3)).